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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/756,988	01/13/2004	Francoise Brun-Cottan	D/99474	3718

7590 07/20/2007  
Ortiz & Lopez, PLLC  
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Albuquerque, NM 87196-4484

EXAMINER
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KEATON, SHERROD L

ART UNIT	PAPER NUMBER
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2174

MAIL DATE	DELIVERY MODE
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07/20/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/756,988	<b>Applicant(s)</b> BRUN-COTTAN ET AL.	
	<b>Examiner</b> sherrod keaton	<b>Art Unit</b> 2174	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 and 12-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

### **DETAILED ACTION**

This action is in response to the filing of May 16, 2007. Claims 1-10 and 12-20 are pending and have been considered below:

#### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 12-19 recites the limitation "as in Claim 11". There is insufficient antecedent basis for this limitation in the claims. The amended claims are missing Claim 11. Examiner Notes he will consider claims 12-19 as dependent on independent Claim 10.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10 and 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komar et al (US 2003/0079224 A1) in view of Gayraud et al (5436637).

**Claim 1 and 10:** Komar discloses a method and system comprising:

- a.) associating at least one object with a data item, wherein said at least one object contains information relevant to said data item (Page 4, Paragraph 31); and
- b.) displaying a compacted view of said data item in allocation of a display screen proximate to said at least one object, and wherein a selection of said at least one object invokes a display of said information relevant to said data item (Page 2, Paragraph 16).

However Komar does not explicitly disclose that said compacted view of said data item is a representation of said data item. But Gayraud discloses a graphical user interface system and methods for improved user feedback and further discloses hints of icons containing text or graphical messages of what an icon represents (Column 3, Lines 45-59). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to include hints of data about what the icon represented in Komar as taught by Gayraud. One would have been motivated to have hints about the icon to improve the user-friendly aspect of the application because it allows the user to view where the icon will guide the user.

**Claim 2 and 12:** Komar and Gayraud disclose a method and system as in Claims 1 and 10 above and further discloses automatically invoking display of information

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relevant to said data item in response to dragging a graphically displayed cursor across said at least one object displayed on said display screen (Page 2, Paragraph 21), (Page 4, Paragraph 31 and 32).

**Claim 3 and 13:** Komar and Gayraud disclose a method and system as in Claims 1 and 10 above and further discloses selecting said at least one object to invoke a display of information relevant to said data item (Page 2, Paragraph 16).

**Claim 4 and 14:** Komar and Gayraud disclose a method and system as in Claims 1 and 10 above and further discloses information relevant to said data item in a form of graphical pop-up window, which when selected by user activates an additional graphical window comprising further information relevant to said data item (Page 3, Paragraph 25), (Page 4, Paragraph 31 and 32).

**Claim 5 and 15:** Komar and Gayraud disclose information relevant to said data item in a form of graphical pop-up window, which when selected by user activates an additional graphical window comprising further information relevant to said data item as in Claims 4 and 14 above and further discloses that the additional graphical window comprises an interactive region for initiating at least one user transaction thereof (Page 2, Paragraph 16).

**Claim 6 and 16:** Komar and Gayraud disclose a method and system as in Claims 1 and 10 above and further discloses at least one object as a graphical iconette displayable on said display screen (Page 2, Paragraph 16), (Page 4, Paragraph 4, Page 31).

**Claim 7 and 17:** Komar and Gayraud disclose a method and system as in Claims 1 and 10 above and further discloses that the item comprises a graphical image (Page 2, Paragraph 17), (Page 3, Paragraph 26).

**Claim 8 and 18:** Komar and Gayraud disclose a method and system as in Claims 1 and 10 above and further discloses displaying a compacted view of a plurality of data items in a display area of a display screen, wherein at least one data item among said plurality of data items is displayed proximate to at least one object containing information relevant to said at least one data item, wherein a selection of said at least

one object invokes a display of information relevant to said at least one data item (Page 2, Paragraph 16), (Page 23, Paragraph 23), (Page 4, Paragraph 31).

**Claim 9:** Komar and Gayraud disclose a method as in Claim 1 above and further discloses

a.) displaying data associated with said data item as a graphical icon on said display screen (Page 2, Paragraph 16 and 20); and

b.) displaying said at least one object as an a graphical iconette embedded within a graphical frame surrounding said graphical icon, wherein said graphical iconette can be invoked by said user to display information relevant to said graphical icon (Page 4, Paragraph 31).

**Claim 20:** Komar discloses a system comprising:

a.) at least one iconette associated with a data item wherein said at least one iconette contains information relevant to said to data item (Page 4, Paragraph 31); and

b.) a display module for displaying a compacted view of said data item in a location of a display screen proximate to said at least one iconette, and wherein a selection of said at least one iconette invokes a display of information relevant to said data item wherein

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said display module displays data associated with said data item as a graphical icon on said display screen (Page 2, Paragraph 16), (Page 2, Paragraph 20), (Page 4, Paragraph 31).

However Komar does not explicitly disclose that said compacted view of said data item is a representation of said data item. But Gayraud discloses a graphical user interface system and methods for improved user feedback and further discloses hints of icons containing text or graphical messages of what an icon represents (Column 3, Lines 45-59). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to include hints of data about what the icon represented in Komar as taught by Gayraud. One would have been motivated to have hints about the icon to improve the user-friendly aspect of the application because it allows the user to view where the icon will guide the user.

### **Response to Arguments**

**Argument of Claims 1, 10, and 20:** Applicants arguments have been considered but are moot in view of new ground(s) of rejection, as necessitated by Applicants amendment and rewriting of the Claims.

**Argument of Claims 2-6, 8-9 and 12-19:** Applicants argument has been considered but is moot in view of new ground(s) of rejection, as necessitated by Applicants amendment and rewriting of Claims 1 and 10.



**Argument of Claim 7 and 17:** Applicants argue that Komar discloses a video stream and not a graphical image. In response to applicant's argument a video stream contains multimedia information, which can consist of text, audio, graphics, video etc. Applicant's specification does not explicitly define what the data items are but gives possible examples.

### **Conclusion**

5. Applicants amendments necessitated the new ground(s) of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrod Keaton whose telephone number is 571) 270-1697. The examiner can normally be reached on Mon. thru Fri. and alternating Fri. off (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KRISTINE KINCAID can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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